IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2800 OF 2006

Prabhakar Shivling Tamboli
D/H & Ors. ..Petitioners

Vs.

Smt. Kondabai @ Anjirbai Mohanlal
Agarwal and ors. ..Respondents

Mr. P.J. Thorat h/f Mr. R.A. Thorat for petitioners.

CORAM: B.H. MARLAPALLE, J.

Date : June 07, 2007.

P.C.:

1. Heard Mr. Thorat the learned counsel for the petitioners. In Regular Civil Suit No. 323 of 1997 application at Exh.43 came to be filed by the defendant. The application was for bringing on record certain additional documents and it has been rejected by the impugned order dated 27/3/2006 by the learned II Ad-hoc Additional District Judge, Satara. It was contended that there was earth-quake in Satara District and certain documents which were not earlier in the custody were sought to be placed on record.

The application was found to be without any substance and, therefore, it was rejected. Regular Civil Suit No. 357 of 1983 was decided on 31/3/1986 and on remand the suit was decided on 24/4/1997.

2. The view taken by the Lower Appellate Court cannot be termed as perverse or grossly erroneous so as to call for interference under Article 227 of the Constitution.

3. Hence, the petition is rejected summarily.

(B.H. Marlapalle,J.)